

**Notice of Allowability**

Application No.

09/707,111

Examiner

James A. Reagan

Applicant(s)

DAY ET AL.

Art Unit

3621

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the decision by the Board of Patent Appeals and Interferences (BPAI) on 23 February 2006.

2. ☒ The allowed claim(s) is/are 1-18.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_

4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### **Status of Claims**

1. This action is in response to the decision by the Board of Patent Appeals and Interferences (BPAI) on 23 February 2006.
2. Claims 1-18 have been examined.

### **Allowable Subject Matter**

3. Claims 1-18 are allowed. See Reasons for Allowance under separate heading.

### **Reasons For Allowance**

4. The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method step or system components of *automatically archiving or deleting the issue document a second specified amount of time after the one member was notified that the issue document has become dated*. As pointer out by the BPAI:

*We agree with the examiner that only one of the two functions is needed to be taught or suggested in the prior art, but from our review of the teachings of Diamant (and Mora for "notifications), we find no express teaching with respect to the automatic archive and/or deletion functions for tasks of Diamant that would have fairly suggested the implementation of these functions in the system of Mora for the processing of documents as recited in the instant claims. We find no express teaching or fair suggestion of "automatically notifying the one member*

*that the issue document has become dated after a first specified amount of time" and use thereof in the automatic archiving and deleting. While the generic functionality may be taught or suggested by Diamant, we find no suggestion as to why and the examiner has not provided a convincing line of reasoning as to why it would have been obvious to one of ordinary skill in the art to have implemented either of these functions to an issued document that has become dated and has provided a notification thereof to a user.*

Therefore, independent claim 1 is distinguished over the closest prior art of Diamant which in at least column 6, lines 37 to 66 discloses automatic archiving, and in column 9, lines 27-35 discloses automatic deletion. As recited in independent claim 1, it is clear to the BPAI that the Applicant's invention is distinguished over the Diamant invention in at least the method step of "automatically notifying the one member that the issue document has become dated after a first specified amount of time" Although Diamant does disclose automatic archiving and automatic deletion, Diamant does not disclose a temporal aspect.

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - o Penedo, Maris H. "A Web-based Virtual Room for Small Team Collaboration", discloses online collaboration systems.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to:

**571-273-8300** [Official communications, After Final communications labeled "Box AF"]

**571-273-8300** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

Art Unit 3621

05 June 2006



**JAMES A. REAGAN  
PRIMARY EXAMINER**